

## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

  
Jeffrey R. Filippek

name of person signing certification

  
Signature

June 3, 2004  
Date

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Confirmation No. 3295

Mitsuaki OSHIMA et al. : Docket No. 00177/MU-1296/P9558-04

Serial No. 09/244,037 : Group Art Unit 2634

Filed February 4, 1999 : Examiner A. Le

COMMUNICATION SYSTEM : \_\_\_\_\_

RECEIVED  
JUN 03 2004  
Special Program Unit  
Group 2100

**PETITION UNDER 37 CFR 1.183 TO ACCEPT SUBSTITUTE SPECIFICATION IN A  
REISSUE APPLICATION**

Commissioner for Patents

P.O. Box 1450  
Alexandria, VA 22313-1450

130.00 DA  
G-1460  
4/2004 KVESTAL 00000001 230975 09244037

Sir:

This is a petition under 37 CFR 1.183 for waiver of 37 CFR 1.125(d) (which indicates that substitute specifications are not permitted in a reissue application). The PTO is authorized to charge the petition fee to deposit account no. 23-0975.

The present application is one of many pending reissue applications of U.S. Patent No. 5,600,672. Initially, in some of these applications, amendments to the specification were presented in the form of replacement paragraphs with bracketing and underlining to indicate the changes vis-a-vis the original patent. In several of the applications, the Examiner required a

substitute specification because of the length of the specification and the number of amendments, and indicated by telephone that substitute specifications would be required in all of the related reissue applications.

For example, in the present application 09/244,037 the replacement paragraph amendments were filed on April 30, 2003. Then, in the Office Action mailed July 29, 2003, the Examiner required a substitute specification. Also, in related reissue application 09/662,695, which like the present application is a reissue application of U.S. Patent 5,600,672 and a divisional application of reissue application 09/244,037, the replacement paragraph amendments filed on May 7, 2003 were denied entry and a substitute specification was required in the Office Action mailed May 27, 2003.

Moreover, in a telephone conversation with the Examiner in connection with reissue application 09/686,464, which is also a divisional application of reissue application 09/244,037, the Examiner required a substitute specification and indicated that substitute specifications would be required in all of the related reissue applications of U.S. patent 5,600,672 if the same specification amendments were to be entered.

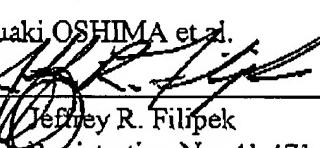
Therefore, a substitute specification was prepared and filed in the present application on September 29, 2003, as well as in all of the related reissue applications of U.S. Patent 5,600,672.

In view of the above, it is requested that the PTO accept entry of the substitute specification filed September 29, 2003 in connection with the present application.

Respectfully submitted,

Mitsuaki OSHIMA et al.

By:

  
Jeffrey R. Filipek

Registration No. 41,471

Attorney for Patentees

JRF/jf

Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
June 3, 2004

**WENDEROTH, LIND & PONACK, L.L.P.**

2033 K Street, N.W., Suite 800  
Washington, D.C. 20006  
Phone: (202) 721-8200  
Facsimile: (202) 721-8250

RECEIVED  
JUN 05 2004  
Special Program Unit  
Group 2/00

**FAX TRANSMITTAL COVER SHEET**

Date: 6/3/04

To: SPRE DWAYNE BOST

Company Name: \_\_\_\_\_

Fax Number: 703 746 5804

From: JEFF FILIPEK

Message: ATTACHED IS THE PETITION YOU REQUESTED.  
IF THERE ARE ANY PROBLEMS, PLEASE CALL ME AT  
202 721 8213. THANK YOU.

JEFF FILIPEK

Total Number of Pages Transmitted, Including Cover Sheet: 3

**CONFIDENTIALITY**

The documents transmitted herewith may contain confidential and/or privileged information intended only for the use of the person or entity to whom addressed. If you are not the intended recipient, or an agent of the recipient responsible for delivering it to the intended recipient, then you have received this transmission in error and are asked to promptly advise us by telephone or fax, and return the document to us by mail. Unauthorized copying, distribution, disclosure or other use of this information by anyone other than the intended recipient or their designee is prohibited.

If there are any problems with this transmission  
or if you have not received all of the pages  
please call (202) 721-8200

Fax Operator: F. Serai)